



Secretariat

ST/IC/1995/1
16 January 1995

INFORMATION CIRCULAR

To: Members of the staff at Headquarters

From: The Under-Secretary-General for Administration and Management

Subject: PROCEDURES FOR OBTAINING THE RELEASE OF
DIPLOMATIC VEHICLES

1. The Secretariat has received from the United States Mission to the United Nations a note verbale dated 31 October 1994, advising the Secretariat of a change in the procedures for obtaining the release of diplomatic vehicles towed by the City of New York, effective 1 November 1994.
2. The procedures discussed in the note are applicable to United Nations Secretariat vehicles bearing United States Department of State diplomatic licence plates as well as to the vehicles owned or leased by senior officials of the United Nations who are eligible for diplomatic privileges and immunities under section 19 of the Convention on the Privileges and Immunities of the United Nations (the Secretary-General, under-secretaries-general and assistant secretaries-general).
3. While the main purpose and intent of the note is to inform all concerned that requests for release of diplomatic vehicles will be processed not by the United States Mission but by the New York Regional Office of the Office of Foreign Missions, the United Nations Secretariat is of the opinion that the proposed procedures for obtaining the release of diplomatic vehicles are not consonant with the relevant provisions of the applicable international instruments, and it has therefore been decided that the Secretariat should formally reserve its position with regard to these procedures. The Secretariat conveyed this opinion to the United States Mission to the United Nations in a note verbale dated 30 November 1994.
4. Without prejudice to the position taken by the United Nations Secretariat on the matter, senior staff members of the Secretariat and the relevant services are advised that the procedures described in the attached annex are to be followed should vehicles with diplomatic licence plates be towed by the City of New York.



Annex

NOTE VERBALE DATED 31 OCTOBER 1994 FROM THE UNITED
STATES MISSION TO THE UNITED NATIONS ADDRESSED TO
THE UNITED NATIONS SECRETARIAT

The United States Mission to the United Nations presents its compliments to the United Nations Secretariat and has the honour to inform it of a change in the procedures for obtaining the release of diplomatic vehicles towed by the City of New York. As of 1 November 1994, the New York Regional Office of the Office of Foreign Missions is to be contacted to obtain such releases. As the Office of Foreign Missions, New York, is the office responsible for the operation and licensing of diplomatic vehicles and drivers, it is appropriate that that office obtain the release of such vehicles.

In the event that the United Nations Secretariat believes a vehicle bearing Department of State diplomatic licence plates has been towed, the concerned party should first call the City of New York's Violations Tow Services at (212) 971-0770 for confirmation. The caller should provide a description of the vehicle (licence plate number, year, colour, make and model), the last known location of the vehicle and the approximate time of the towing.

Once towing of the vehicle has been confirmed, the Secretariat should ask for the "voucher number", and then call the Office of Foreign Missions at (212) 826-4504. This number will be monitored after working hours. The Office of Foreign Missions will request the release, provided the vehicle is eligible for diplomatic release and the vehicle has current liability insurance meeting the Department of State's requirements, defined as \$300,000 combined single limit, or \$100,000/\$200,000/\$100,000 split limit coverage.

During normal working hours, if the Office of Foreign Missions, New York, does not have current insurance information on the vehicle in question, the Secretariat will be required to supply proof of such insurance to that office before release will be requested. Such proof may be supplied by faxing the insurance policy or card to the Office of Foreign Missions at (212) 826-4508. Once insurance is confirmed and the release request made by the Office of Foreign Missions, the claimant should appear at the Supervisor's Window at the Violations Tow Services, located at 12th Avenue and West 38th Street, Manhattan, to obtain the vehicle.

Outside normal working hours, the Secretariat, as above, should confirm the vehicle's presence at Violations Tow Services, and then call the Office of Foreign Missions, which will request release of the vehicle upon presentation to the Window Supervisor of proof of current insurance for the vehicle in question. Proof of current insurance should be carried in the vehicle AT ALL TIMES.

If proof of insurance cannot be provided for a towed diplomatic vehicle, that vehicle cannot be operated. If asked by the Secretariat, the Office of Foreign Missions, New York, will request the vehicle be released but only after the Department of State licence plates issued for the vehicle are removed. Vehicles without insurance and/or licence plates cannot be operated in the

/...

United States. As a consequence, claimants can remove such vehicles from Violations Tow Services at any time after consultations with the Office of Foreign Missions, New York, but may do so only by tow truck at the owner's expense.

The United States Mission and the Office of Foreign Missions, New York, wish to remind the Secretariat that only vehicles owned or leased by the Secretariat and its members identified as senior officials under the provisions of section 19 of the Convention on the Privileges and Immunities of the United Nations are eligible for diplomatic release. Vehicles owned by other Secretariat staff members or by private citizens are not eligible for release, even if "on loan" to the Secretariat or its diplomatic members.

Vehicles rented by the Secretariat or its diplomatic members may be released if ALL the following conditions are met:

- (a) The rental is from an established business. Rentals from individuals are not eligible;
- (b) The rental agreement is signed by a diplomatic member of the Secretariat. Vehicles whose rental agreements are signed by non-diplomatic staff or by private citizens are not eligible;
- (c) During normal working hours, the claimant to the towed vehicle should present a copy of the rental agreement to the Office of Foreign Missions, New York, so that the above information can be verified. Outside normal working hours, the claimant should present to the Window Supervisor at the Violations Tow Services a copy of the rental agreement and the diplomatic identification card of the signatory;
- (d) It is the policy of Violations Tow Services to release rented vehicles only to the signatory of the rental contract.

Questions regarding these procedures may be referred to the Office of Foreign Missions at (212) 826-4504.
